

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**STATESBORO DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CR615-010
	)	
DEBORAH FONTENOT,	)	
	)	
Defendant.	)	

**REPORT AND RECOMMENDATION**

The Court ordered a forensic competency examination of defendant Deborah Fontenot after finding reasonable cause to suspect that she is presently suffering from a mental disease or defect rendering her mentally incompetent to stand trial. Doc. 38. After evaluating her at Carswell Federal Medical Center, the forensic psychologist concluded that she is competent to stand trial because she

. . . is not suffering from a mental disease or defect which would render her unable to understand the nature and consequences of the proceedings against her, and has the capacity to assist legal counsel in her defense, or to understand the consequences and significance of pleading guilty to the charges against her.

Doc. 45 at ¶ 1. Furthermore, “Fontenot was not suffering from a mental disease at the time of the alleged offense that would render her unable to

appreciate the nature and quality or wrongfulness of her actions.” *Id.* at ¶ 2.

Defendant and counsel for the parties have stipulated to the report’s findings and conclusions. *Id.* at 2. Based upon the unrebutted psychological evidence, the Court finds by a preponderance of the evidence that Fontenot is mentally incompetent to stand trial. She was able to understand the nature and consequences of her actions at the time of the alleged offense, and is able to understand the proceedings against her and assist properly in her defense.

It is therefore **RECOMMENDED** that the defendant be held competent to stand trial. This finding shall not prejudice the defendant in raising the issue of her insanity as a defense to the offense charged, however, and shall not be admissible as evidence at trial for the offense charged. 18 U.S.C. § 4241(f).

**SO REPORTED AND RECOMMENDED**, this 14th day of September, 2016.

  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA